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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,645	01/11/2001	Satoaki Nakagawa	0925-0165P	8027

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EXAMINER	
NGUYEN, HUY THANH	
ART UNIT	**PAPER NUMBER**
2616	

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/757,645	NAKAGAWA ET AL.	
	Examiner	Art Unit	
	HUY T. NGUYEN	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *4* is/are allowed.

6)☒ Claim(s) *1-3 and 5-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1 ,8 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art , Fig. 2, specification pages 1-3, in view of Yoshimoto (JP08065661 A).

Regarding claims 1 and 8, the admitted prior art disclose a conventional receiver for displaying received broadcast electric waves including:

a first memory for storing as a past record information representing whether the signal receiver was previously subjected to initial setup;

an alarm device for alarming the necessity of initial setup of the signal receiver when the connection of a power source plug to an external power source is detected whereby a user can surely perform the initial setup ; and

a controller for controlling the setup .

The admitted prior art does no teach providing the necessity of the setup when no past record exist in the memory with guided .

Yoshimoto teaches an apparatus having a control means for detecting whether a past record in a memory during a setup and for providing necessity of the setup when no past record exist in the memory using a guided set up in response to the detection of the initial setup data in a memory (See Abstract and Constitution , Figs. 4-5, pages 3-4 English translation).

It would have been obvious to one of ordinary skill in the art to modify the admitted prior art with Yuen by using the teaching of Yoshimoto for providing necessity of setup based on whether or not the past recorded exist the memory thereby preventing error for the setup of the receiver .

Method claim 14 corresponds to apparatus claims 1 and 8. Therefore method claim 14 is rejected by the same reason as applied to apparatus claims 1 and 8.

Regarding claim 13, The admitted prior art as modified with Yoshimoto further teaches the receiver includes a VCR.

3. Claims 2 and 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art , Fig. 2, specification pages 1-3, in view Yoshimoto as applied to claim 1 above, further in view of Nagano et al (6,370,317).

The admitted prior art as modified with Yuen fails to specifically teaches using a light emitting element which is provided inside the button and can be actuated to be turned on and off as a warning .

Nagano teaches using light emitting element as a warning device for a set condition of the apparatus (column 16, lines 15-30). It would have been obvious to one of ordinary kill in the art to modify the admitted prior art as modified with Yoshimoto with Nagano by using a light emitting element as taught by Nagano as an alternative to warning means of the apparatus of the admitted prior art as modified with Yuen for providing a warning .

4. Claims 3 5-7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art , Fig. 2, specification pages 1-3, in view of Yoshimoto as applied to claims 1 and 8 above, further in view of Park et al (5,575,000).

Regarding claims 3 , 5-7 and 11, the admitted prior art as modified with Yoshimoto fails to specifically teaches using a second memory for holding a setup frame displayed on said display device after a response to the alarm of said alarm device is received or at the same time when the alarm is made; a third memory for storing district codes and reception channel groups corresponding to the respective district codes as a district code comparative chart.

Park teaches a receiver having a control means and memories for displaying a setup frame and groups of channels corresponding to the input district codes (Figs.

2,3,5,6, column 4) and a channel of a group of channels is selected from a tuner (Figs. 2,3 and 5-6, column 4).

It would have been obvious to one of ordinary skill in the art to modify the admitted prior art with Park by using a control means and memories as taught by Park with the apparatus of the admitted prior art as the second and third memories for storing the setup frame and channels of district areas and for controlling displaying the setup frame and the groups of channels of the district areas and for controlling displaying the setup frame and channels of district areas thereby enhancing the function of the admitted prior art to provide more convenience to the user in selecting a channel for viewing .

Regarding claim 12, The admitted prior art as modified wit Yoshimoto further teaches at least one initial setting is detected by the controller and automatically programmed (See Yoshimoto).

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art , Fig. 2, specification pages 1-3, in view of Yoshimoto and Nagano et al as applied to claim 9 above, further in view of Yoshida (5,517,321).

The admitted prior art as modified with Yoshimoto and Nagano fails to teaches means for generating audible warning as recited in claim 10. However, it is noted that using a control means for generating visual or audible warning when an abnormal condition is detected is well known in the at as taught by Yoshida (column 1

lines 35-60). It would have been obvious to one of ordinary skill in the art to modified the admitted prior art as modified with Yoshimoto and Nagano with Yoshida by providing the admitted prior art with audible warring as taught by Yoshida as an additional alarm for warning the user of the apparatus .

Allowable Subject Matter

6. Claim 4 is allowed.

Response to Arguments

7. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N

HUY NGUYEN
PRIMARY EXAMINER